

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FRANCIS H. AZUR,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 06-1088
)	
CHASE BANK USA, NATIONAL)	
ASSOCIATION, f/k/a Chase Manhattan)	
Bank, USA, N.A, as successor by merger)	
with Bank One, Delaware, N.A., f/k/a First)	
USA Bank, N.A.,)	
Defendant.)	

O R D E R

AND NOW, this ^{3rd} day of *February*, 2009, after the plaintiff filed an amended complaint in the above-captioned case, and after the defendant submitted a motion for summary judgment and moved for judgment on the pleadings on Count I of the amended complaint, and after a Supplemental Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted thirteen days after being served with a copy to file written objections thereto, and upon consideration of the plaintiff's objections, as well as the defendant's response to those objections, and upon independent review of the pleadings, and the Magistrate Judge's Supplemental Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the defendant's motion for summary judgment (Document No. 36) is granted.

IT IS FURTHER ORDERED that the defendant's motion for judgment on the pleadings on Count I of the amended complaint (Document No. 57) is dismissed as moot.


United States District Judge